

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
DERRICK HAMILTON,

15 CV 4574 (CBA) (SJB)

Plaintiff,

-against-

**DECLARATION OF
BRYAN HA**

THE CITY OF NEW YORK, et al.,

Defendants.
-----X

BRYAN HA hereby declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following are true and correct:

1. I am of counsel to the Law Office of Richard E. Signorelli, attorneys for defendant Detective Louis Scarcella (Ret.) (“Det. Scarcella”) in the above-captioned matter and I will be serving as trial counsel for Det. Scarcella. As such, I am fully familiar with the facts and circumstances of this matter.

2. I respectfully submit this declaration in support of Det. Scarcella’s motion in limine for an order:

(1) precluding plaintiff Derrick Hamilton from:

(a) introducing at trial any evidence of other bad acts against Det. Scarcella under Fed. R. Evid. 404(b);

(b) calling any witness on his impeachment witness list to testify at trial and introducing at trial any other extrinsic evidence of other bad acts for impeachment purposes under Fed. R. Evid. 608(b);

(c) introducing at trial any evidence that was not previously produced in discovery; and

(d) introducing evidence or mentioning at trial that Det. Scarcella may be indemnified by the City of New York for any potential liability he may have in this case; and

(2) granting such other and further relief as the Court deems just and proper.¹

3. Attached hereto as Exhibit A are true and correct copies of selected pages from the Affirmation in Opposition to Motion to Vacate Judgment (by Assistant District Attorney Seth M. Lieberman) dated May 15, 2017, filed in the case of People v. Williams, N.Y. Sup. Ct., Kings Cty., Indict. No. 11731/93.

Dated: New York, New York
July 26, 2019

/s/ Bryan Ha
Bryan Ha

¹ Det. Scarcella also adopts by reference and joins in any other motions in limine filed by his co-defendants in this action to the extent such motions are applicable to him.